

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:16-CR-187-FL

UNITED STATES OF AMERICA, )  
                                )  
                                )     **AMENDED**  
v.                            ) MOTION TO SEAL EXHIBIT C  
                                )  
                                ) SENTENCING MATERIALS  
JOHN ERVIN LINGLE,        ) Local Rule 79.2  
Defendant.                )

COMES NOW the Defendant, JOHN LINGLE, by and through undersigned counsel, and hereby moves this Honorable Court to SEAL Exhibit C of his Sentencing Memorandum. In support, Defendant would show:

- 1)      Exhibit C of the Sentencing Memorandum contains five confidential mental health assessments.
- 2)      Confidential matters are properly protected from public view by sealing same, pursuant to Local Rule 79.2 on motion.
- 3)      At the time of the filing of the Sentencing Memorandum (this date, early a.m.), which this Exhibit Supports, pursuant to the Rule, counsel attempted to file with the Court's Clerk the prospective SEALED exhibit; however, the document was too large. With assistance today, Counsel is filing the proposed SEALED exhibit, having condensed the exhibit to conform to filing parameters.
- 4)      Counsel will hand-deliver the exhibit to the Government, per the Rule.

WHEREFORE, for the foregoing reason Defendant requests that this Honorable Court  
order Exhibit C of his Sentencing Memorandum SEALED.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of February 2018.

NEWTON LAW

*/s/ Debborah L. Newton*  
Deborrah L. Newton  
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ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date properly served a copy of the foregoing **AMENDED MOTION TO SEAL**, proposed sealed documents, on all parties to this cause by ECF of same to the following:

Ethan Ontjes  
Assistant United States Attorney  
310 New Bern Avenue, Suite 800  
Terry Sanford Federal Building  
Raleigh, North Carolina 27601

VIA ECF & (SEAL) *hand-delivery*

THIS the 7<sup>TH</sup> day of February 2018.

*/s/ Deborrah L. Newton*  
Deborrah L. Newton